

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
<http://www.in.gov/legislative>

**FISCAL IMPACT STATEMENT**

**LS 6787**

**BILL NUMBER: SB 251**

**NOTE PREPARED:** Jan 22, 2009

**BILL AMENDED:**

**SUBJECT:** Criminal Intelligence Information.

**FIRST AUTHOR:** Sen. Wyss

**FIRST SPONSOR:**

**BILL STATUS:** 2<sup>nd</sup> Reading - 1<sup>st</sup> House

**FUNDS AFFECTED:** X **GENERAL**  
**DEDICATED**  
**FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** The bill has the following provisions:

- A. It provides that criminal intelligence information concerning a particular individual or organization may be collected and maintained only if there is reasonable suspicion that the individual or organization is involved in criminal conduct or activity. It sets forth grounds for reasonable suspicion.
- B. It requires certain security measures for criminal justice agencies to use in maintaining and disseminating criminal intelligence information. It provides that a criminal justice agency may not include in a criminal intelligence system information that has been obtained in violation of the law.
- C. It provides that, unless dissemination of information to another person is necessary to avoid imminent danger to life or property, a criminal justice agency may disseminate information only to another criminal justice agency that follows security measures in maintaining and disseminating information.
- D. It makes a corresponding change to the statute governing the Indiana Intelligence Fusion Center.

**Effective Date:** July 1, 2009.

**Explanation of State Expenditures:** This bill amends the Indiana Code so that it conforms with federal law concerning how criminal intelligence can be used and stored, and thus there should be a minimal change in expenditures.

Criminal intelligence information is defined by the bill as data that after being evaluated is determined to be relevant to identifying the criminal activity of an individual or to an organization that is reasonably suspected

of involvement in criminal activity. Criminal intelligence data must be maintained in a specific manner as described in this bill.

Staff in the Indiana State Police (ISP) indicate that these requirements should not affect law enforcement agencies because the only agencies in Indiana that currently maintain criminal intelligence data are the ISP, the Indiana Intelligence Fusion Center, and the Indianapolis Metropolitan Police Department.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** ISP; Indiana Intelligence Fusion Center

**Local Agencies Affected:** Indianapolis Metropolitan Police Department

**Information Sources:** Todd Smith, ISP; Monte McKee, Indiana Intelligence Fusion Center.

**Fiscal Analyst:** Mark Goodpaster, 317-232-9852.